

Hot Issue / Briefing Paper

Mountaire Farms DE Contamination of Groundwater with Excess Nitrate

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Issue/Topic:

On November 2, 2017 DNREC issued Notice of Violation W-17-GWD-13 (attached) to the Mountaire Farms facility in Millsboro, Delaware for numerous violations of their spray irrigation permit. Violation 8 of the DNREC NOV states that the “operation of the wastewater treatment facility and spray irrigation system has continued to cause the groundwater to exceed drinking water standards for Nitrate Nitrogen.” The DNREC violation places Mountaire Farms in violation of the existing EPA 1431 Order on Consent, SDWA-03-2003-0015 Paragraph 38 (attached). DNREC has initiated a program of sampling drinking water wells in the area to identify possibly affected residential drinking water wells. The first series of sampling included 17 homes and identified 14 homes with levels over the Nitrate MCL. A second round of sampling of 14 homes was completed last week. DNREC will share results once they are finalized. DNREC estimates approximately 40 to 60 homes will need sampling. Mountaire has been cooperating with DNREC and verbally agreed to supply bottled water to any homes over the MCL.

Background:

Most residential wells in the area are shallow in nature and are easily contaminated by overloaded Nitrate levels from spray irrigation. In 2003 EPA issued the above referenced Order and identified 11 residences (map attached) that were affected by Mountaire’s spray irrigation practices at the time. That Order is still valid and Mountaire has provided either bottled water or Point of Entry treatment devices to those residences. As of this date 7 residences remain under that Order the other 4 homes were demolished or designated not to be used as residences.

Ex. 5 - Deliberative Process

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Follow-up:

We have been having periodic conversations with DNREC and they are supplying us with the results of the drinking well sampling results as they are available. We are also asking for updates as to the distribution of bottled water to effected residences by Mountaire to be sure a temporary alternative is available to residents. A call between EPA and DNREC senior management to address a collaborative path forward is requested.

Attachments:

DREC November 2, 2017 NOV to Mountaire Farms

EPA 2003 1431 Order on Consent

Original map of affected homes that were supplied alternate drinking water

DNREC map of area they are investigating for contamination